REMARKS

Careful consideration has been given by the applicants to the Examiner's comments and rejection of the claims, as set forth in the outstanding Office Action, and favorable reconsideration and allowance of the application, as amended, is earnestly solicited.

Applicants note the Examiner's rejection of Claim 10 under 35 U.S.C. §102((b) as being allegedly anticipated by Prahauser et al. U.S. 4,838,167 as detailed in the Office Action; and the rejection of Claims 11-13 as being unpatentable under 35 U.S.C. §103(a) over Prahauser et al. as also detailed in the Office Action.

However, upon careful consideration of the prior art, applicants respectfully submit that the claims as amended and presented herein clearly and unambiguously describe important differences of a patentable nature, both in construction and in the function of the particular smoke or cloud generating projectiles.

In particular, applicants note that in Prahauser, et al. the elements, which are intended to form a smoke screen or cloud comprise a plurality of wound combustible foil strips, which upon the breaking open and ejection thereof from a projectile will unwind and "float" in an airstream in the form of separate light-weight foil strips and combust in order to form a cloud in the nature of an infrared jamming radiator.

However, the use of the strips constituted of the light-weight foils material as expelled and combusted in Prahauser et al. is not in any manner capable of providing a fog curtain of a long term duration which is protective of a target in a manner as described and contemplated herein. In the particular technology, from the standpoint of aerodynamics, the cloud-forming lightweight foil strips 13, 14, which are expelled from the Prahauser, et al. projectile housing,

must remain for a lengthy period of time in the air in a generally suspended state during combusting in order to be able to form a cloud 13, as shown in Figure 1 thereof.

Hereby, in order to be able to form a floating cloud, the strips must remain closely adjacent to each other in a floating condition, otherwise the dispersion thereof will fail to provide any kind of protective fog or smoke screen in a form of a cloud.

To the contrary, pursuant to the present invention, as also indicated in the disclosure and clearly set forth in the amended claims, and as shown in the scenario of Figure 7, there is generated a cloud or fog curtain N through the use of the unique solid segments 6, which are expelled sideways and apart from each other and combusted upon the tearing open of the encompassing foil sheathing, whereby the foil sheathing only serves the purpose of initially retaining the segments, which are not connected to each other, in an assembled condition forming the hollow-cylindrical layers. Consequently, the foil, which is combusted pursuant to the present structure, does not serve a function analogous to the combustible foil of Prahauser, et al., but is merely intended for the purpose of providing an initial enclosure or sheathing for containment the solid segments, which are the pyrotechnic structures forming the curtain of fog over a lengthy and extended period of time and area. This enables the complete tactical screening of a vehicle, such as either an armored or unarmored vehicle in a mode, which is in no manner ascertainable from the prior art.

One of skill in the art would not in any manner assume that from the disclosure of Prahauser, et al. and arrange solid combustible segments in a projectile 16 in lieu of the thin foil strips, or to provide any type of physical and technological measures by means of which the spherical cloud of the projectile 16 can produce a fog curtain. This type of functioning by means

of the foil strips in Prahauser, et al. is completely different from that achieved by means of the solid pyrotechnic segments of the present projectile.

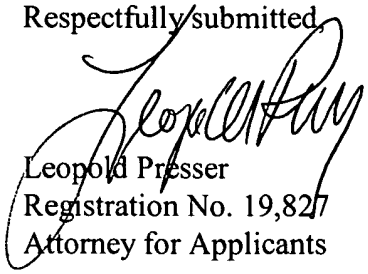
The only manner in which a projectile according to Prahauser, et al. could produce a fog curtain would be to launch a plurality, for example, 5 such projectiles, and to eject their payload of combustible materials, such as foil strips, at different points in time. This could possibly produce a curtain similar to the present invention, but would not make any sense from a technological or practical standpoint since it necessitates the firing of a plurality of projectiles and, in any event, there is no assurance that by means of a plurality of projectiles pursuant to Prahauser, there can even be produced a closed fog curtain analogous to that of the present invention.

In contrast with the foregoing, as also now clearly emphasized in the amended claims, in which the physical characteristics of both the segments and the inventive structures are elucidated, the present invention is adopted to solve a task in which a unique fog curtain is generated in an infrared radiation range and in a simple inventive manner.

Consequently, in view of the foregoing comments and amendments to the claims, which emphasize the particular distinctions over Prahauser, et al. and any other art known to the applicants, the application is clearly directed to allowable subject matter and the earlier issuance of the Notice of Allowance by the Examiner is earnestly solicited.

However, in any event, in case the Examiner has any queries concerning the instantly submitted amendment, applicant's attorney respectfully requests that he be accorded the courtesy of possibly a telephone conference to discuss any matters in need of attention.

Respectfully submitted,



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